

3. Remarks/Discussion of Issues

Claim Summary

By the present Amendment, claims 1-12 have been canceled, without prejudice and without disclaimer of the subject matter. New claims 13-32 have been submitted for the Examiner's consideration. Applicants submit that no improper new matter has been introduced.

Claims 13-32 are pending in the application. Applicants respectfully submit that all pending claims are in condition for allowance.

Amendments to the Specification

The Office Action of August 19, 2009, objects to the specification for not including a brief description of Figure 1. *See* Office Action, p. 2. Accordingly, by the present Amendment, a paragraph providing a brief description of Figure 1 has been added at the top of page 4 of the specification. Applicants respectfully submit that no improper new matter has been introduced by the amendment.

35 U.S.C. § 112 Rejection - Claims 1-12

The Office Action of August 19, 2009, rejects claims 1-12 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. *See* Office Action, p. 2.

Without acquiescing to the grounds of rejection, Applicants have canceled rejected claims 1-12, and submitted claims 13-32 for the Examiner consideration. Newly submitted claims 13-32 do not include the language to which the Examiner objected. Further, with respect to the claim term "basic material," Applicants submit that this term is defined in the specification. *See, e.g.*, p. 4, line 31 – p. 5, line 1 ("The invention may be summarized with an intermediate layer that comprises a basic material, such as a conductive polymer, that taken alone still absorbs some light.") (emphasis added); p. 1, lines 21-27.

Accordingly, Applicants respectfully submit that the rejection under 35 U.S.C. § 112,

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second paragraph, is now moot and should be withdrawn, and that all pending claims are in condition for allowance.

Conclusion

In view of the foregoing explanations, Applicants respectfully request that the Examiner reconsider and reexamine the present application, allow claims 13-32, and pass the application to issue.

In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Van C. Ernest (Reg. No. 44,099) at (571) 283.0720 to discuss these matters.

Respectfully submitted on behalf of:

Philips Electronics North America Corp.

A handwritten signature in black ink, appearing to be 'VCE', is written over a horizontal line.

by: Van C. Ernest (Reg. No. 44,099)

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Volentine & Whitt, PLLC
One Freedom Square
11951 Freedom Drive, Suite 1260
Reston, Virginia 20190
Telephone No.: (571) 283.0724
Facsimile No.: (571) 283.0740